

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of California Water Service Company (U-60-W), a Corporation, for Authority to Implement a Low-Income Ratepayer Assistance Program in Compliance with Decision No. 03-09-021 in Application No. 01-09-062.

Application 05-10-035
(Filed October 28, 2005)

**SCOPING MEMO AND RULING
OF ASSIGNED COMMISSIONER**

1. Summary

This Scoping Memo and Ruling (Scoping Memo) sets forth the procedural schedule and issues to be addressed, designates the principal hearing officer, and addresses other procedural issues which will facilitate the efficient processing of this proceeding.

2. Category of Proceeding

No party has objected to the category of this proceeding, which shall be ratesetting.

3. Need for Hearings

The Commission's Division of Ratepayer Advocates (DRA) timely protested the subject application. A prehearing conference (PHC) was held on January 17, 2006. At the PHC, the parties agreed to attempt a settlement of the issues before any evidentiary hearing was held. The parties were directed to file concurrent comments on March 1, 2006 on the status of settlement discussions

and the need for hearing. A schedule for filing briefs and a hearing date also were established at the PHC in the event no settlement was reached.

As directed, the parties reported on March 1 that settlement discussions were underway, and the need for an evidentiary hearing was unlikely. On January 30, 2006, Latino Issues Forum filed a motion to intervene in this proceeding. On March 6, 2006, an Administrative Law Judge (ALJ) ruling granted the motion to intervene.

To date, no other filings or reports have been made in this proceeding. The parties are encouraged to continue seeking a settlement. Should a settlement not be reached, the testimony distribution and hearing schedule below will be followed.

4. Schedule

The following procedural schedule, based on agreements reached by the parties at the PHC, is affirmed. The Assigned Commissioner or ALJ may modify the schedule as necessary. The schedule for briefing and a proposed decision will be determined at the conclusion of the hearing.

Event	Date
DRA, and other parties if desired, to serve prepared written testimony, and list of exhibits and witnesses	June 9, 2006
Applicant to serve rebuttal testimony	June 30, 2006
Evidentiary hearing at the Commission's Courtroom, State Office Building, 505 Van Ness Avenue, San Francisco, California	August 14, 2006, commencing at 10 a.m.

Should a settlement or stipulation be reached before the hearing, the parties should telephone the Assigned ALJ, and notice the service list as soon as possible, in no event later than August 13, 2006, the day before the scheduled hearing.

5. Issues to Be Addressed

This application requests authority to establish a low-income ratepayer assistance (LIRA) program that would allow qualified customers to receive a \$5/month discount, funded by a \$0.25/month charge to non-qualifying customers. The proposed LIRA program would apply to all 24 of applicant's service districts.

DRA's protest is based on the rationale of the proposed rate-design plan over alternative approaches, customer program qualification methods, customer program participation level, master-meter issues, and program standardization issues. These issues shall be addressed at the hearing.

6. Principal Hearing Officer

Pursuant to Rule 6 (a)(3) of the Commission's Rules of Practice and Procedure (Rules), Commissioner Bohn designates ALJ Kenneth Koss as the presiding officer.

7. Ex Parte Rules

The ex parte rules set forth in Rule 7(c) of the Commission's Rules of Practice and Procedure apply to this proceeding.

8. Service List

A permanent service list was established at the PHC and is attached to this ruling as Appendix A.

9. Filing and Service of Documents

Parties shall file and serve all pleadings as set forth in Article 2 of the Rules of Practice and Procedure (Rules). Testimony shall only be served. All documents will be served electronically, as set forth in Rule 2.3.1 of the Rules (a paper copy must be provided to the assigned ALJ as provided in Rule 2.3.1(f)).

IT IS RULED that:

1. Based on the issues above, hearings are necessary.
2. The schedule for this proceeding and issues to be addressed are set forth in Sections 4 and 5 of this Scoping Memo, unless subsequently modified by the Assigned Commissioner or Administrative Law Judge (ALJ).
3. ALJ Kenneth Koss is the presiding officer in this proceeding.
4. The service list for this proceeding is attached as Appendix A.
5. The process for filing and service of documents and service of testimony in this proceeding is set forth in Section 9 of this Scoping Memo.
6. Ex parte communications in this proceeding shall comply with Rule 7(c) of the Rules of Practice and Procedure.

Dated May 3, 2006, at San Francisco, California.

/s/ JOHN A. BOHN
John A. Bohn
Assigned Commissioner

APPENDIX A
SERVICE LIST
A.05-10-035

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(END OF APPENDIX A)

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Scoping Memo and Ruling of Assigned Commissioner on all parties of record in this proceeding or their attorneys of record.

Dated May 3, 2006, at San Francisco, California.

/s/ TERESITA C. GALLARDO
Teresita C. Gallardo

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.